

Title 14: COURT PROCEDURE -- CIVIL
Chapter 753: UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT

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Maine Revised Statutes
Title 14: COURT PROCEDURE -- CIVIL
Chapter 753: UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT

§8501. SHORT TITLE

This Act may be cited as the Uniform Foreign Money-judgments Recognition Act. [1999, c. 285, §1 (NEW).]

SECTION HISTORY
1999, c. 285, §1 (NEW).

§8502. DEFINITIONS

As used in this Act, unless the context otherwise indicates, the following terms have the following meanings. [1999, c. 285, §1 (NEW).]

1. Foreign state. "Foreign state" means any governmental unit other than the United States; any state, district, commonwealth, territory, insular possession of the United States; the Panama Canal Zone; the Trust Territory of the Pacific Islands; or the Ryukyu Islands.

[1999, c. 285, §1 (NEW) .]

2. Foreign judgment. "Foreign judgment" means any judgment of a foreign state granting or denying recovery of a sum of money, other than a judgment for taxes, a fine or other penalty or a judgment for support in matrimonial or family matters.

[1999, c. 285, §1 (NEW) .]

SECTION HISTORY
1999, c. 285, §1 (NEW).

§8503. APPLICABILITY

This Act applies to any foreign judgment that is final, conclusive and enforceable where rendered even though the judgment is being appealed or is subject to appeal. [1999, c. 285, §1 (NEW).]

SECTION HISTORY
1999, c. 285, §1 (NEW).

§8504. RECOGNITION AND ENFORCEMENT

Except as provided in section 8505, a foreign judgment meeting the requirements of section 8503 is conclusive between the parties to the extent that it grants or denies recovery of a sum of money. The foreign judgment is enforceable in the same manner as the judgment of a sister state that is entitled to full faith and credit. [1999, c. 285, §1 (NEW).]

SECTION HISTORY
1999, c. 285, §1 (NEW).

§8505. GROUNDS FOR NONRECOGNITION

1. Foreign judgment not conclusive. A foreign judgment is not conclusive if:

- A. The judgment was rendered under a system that does not provide impartial tribunals or procedures compatible with the requirements of due process of law; [1999, c. 285, §1 (NEW).]
- B. The foreign court did not have personal jurisdiction over the defendant; or [1999, c. 285, §1 (NEW).]
- C. The foreign court did not have jurisdiction over the subject matter. [1999, c. 285, §1 (NEW).]

[1999, c. 285, §1 (NEW) .]

2. Foreign judgment not recognized. A foreign judgment need not be recognized if:

- A. The defendant in the proceedings in the foreign court did not receive notice of the proceedings in sufficient time to enable the defendant to defend; [1999, c. 285, §1 (NEW).]
- B. The judgment was obtained by fraud; [1999, c. 285, §1 (NEW).]
- C. The cause of action or claim for relief on which the judgment is based is repugnant to the public policy of this State; [1999, c. 285, §1 (NEW).]
- D. The judgment conflicts with another final and conclusive judgment; [1999, c. 285, §1 (NEW).]
- E. The proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be settled otherwise than by proceedings in that court; [1999, c. 285, §1 (NEW).]
- F. In the case of jurisdiction based only on personal service, the foreign court was a seriously inconvenient forum for the trial of the action; or [1999, c. 285, §1 (NEW).]
- G. The foreign court rendering the judgment would not recognize a comparable judgment of this State. [1999, c. 285, §1 (NEW).]

[1999, c. 285, §1 (NEW) .]

SECTION HISTORY

1999, c. 285, §1 (NEW).

§8506. PERSONAL JURISDICTION

1. Foreign judgment not refused recognition for lack of personal jurisdiction. The foreign judgment may not be refused recognition for lack of personal jurisdiction if:

- A. The defendant was served personally in the foreign state; [1999, c. 285, §1 (NEW).]
- B. The defendant voluntarily appeared in the proceedings, other than for the purpose of protecting property seized or threatened with seizure in the proceedings or of contesting the jurisdiction of the court over the defendant; [1999, c. 285, §1 (NEW).]
- C. The defendant prior to the commencement of the proceedings had agreed to submit to the jurisdiction of the foreign court with respect to the subject matter involved; [1999, c. 285, §1 (NEW).]
- D. The defendant was domiciled in the foreign state when the proceedings were instituted or, being a body corporate, had its principal place of business, was incorporated or had otherwise acquired corporate status in the foreign state; [1999, c. 285, §1 (NEW).]

E. The defendant had a business office in the foreign state and the proceedings in the foreign court involved a cause of action or claim for relief arising out of business done by the defendant through that office in the foreign state; or [1999, c. 285, §1 (NEW).]

F. The defendant operated a motor vehicle or airplane in the foreign state and the proceedings involved a cause of action or claim for relief arising out of that operation. [1999, c. 285, §1 (NEW).]

[1999, c. 285, §1 (NEW).]

2. Foreign judgment recognized on other bases of jurisdiction. The courts of this State may recognize other bases of jurisdiction.

[1999, c. 285, §1 (NEW).]

SECTION HISTORY

1999, c. 285, §1 (NEW).

§8507. STAY IN CASE OF APPEAL

If the defendant satisfies the court either that an appeal is pending or that the defendant is entitled and intends to appeal from the foreign judgment, the court may stay the proceedings until the appeal has been determined or until the expiration of a period of time sufficient to enable the defendant to prosecute the appeal. [1999, c. 285, §1 (NEW).]

SECTION HISTORY

1999, c. 285, §1 (NEW).

§8508. SAVING CLAUSE

This Act does not prevent the recognition of a foreign judgment in situations not covered by this Act. [1999, c. 285, §1 (NEW).]

SECTION HISTORY

1999, c. 285, §1 (NEW).

§8509. UNIFORMITY OF INTERPRETATION

This Act must be so construed as to effectuate its general purpose to make uniform the law of those states that enact it. [1999, c. 285, §1 (NEW).]

SECTION HISTORY

1999, c. 285, §1 (NEW).

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